

STATE OF NORTH CAROLINA
COUNTY OF DURHAM

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE NOS. 06 CRS 4331; 06 CRS 4332;
06 CRS 4333

06 APR 10 10:00
DURHAM COUNTY, C.S.C.

STATE OF NORTH CAROLINA

VS.

MOTION

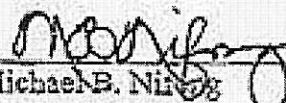
Colin Finnerty,
Defendant

Now comes the State, by and through the undersigned District Attorney, and moves the Court for an order, pursuant to N.C.G.S. 15A-623(f), for an order directing that the indictments in the above-captioned cases be sealed by the clerk, and that no person may disclose the finding of the bills of indictment or the proceeding leading to that finding, until the defendant has been arrested.

In support of this motion, the State submits the following:

1. The defendant is currently a sophomore at Duke University, but his hometown is Garden City, New York;
2. The crimes with which the defendant is charged include two class B1 felonies and one class C felony; even if all charges were consolidated for judgment and the defendant were sentenced to the minimum sentence in the mitigated range, he would face a sentence of 144-182 months upon conviction;
3. Defendant's lack of long-term ties to the Durham community and the severity of the punishment he faces create a substantial risk that he would attempt to flee the jurisdiction of this Court if he learned that an indictment had been returned against him.

This the 12th day of April, 2006.


Michael B. Niles
District Attorney

FILED

05 APR 18 AM 10:01

STATE OF NORTH CAROLINA
COUNTY OF DURHAM BY M. W. [Signature]

DURHAM COUNTY, C.S.C.

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

FILE NOS. 06 CRS 4331; 06 CRS 4332;
06 CRS 4333

STATE OF NORTH CAROLINA

VS.

ORDER

Collin Finnerty,
Defendant

Upon the motion of the State, the Court hereby orders, pursuant to N.C.G.S. 15A-623(f), that the bills of indictment referenced above be kept secret until the defendant is arrested or appears before the Court. The Clerk of Court is hereby ordered to seal said bills of indictment, and no person, including a witness, may disclose the finding of the bill of indictment, or the proceedings leading to the finding, except when necessary for the issuance and execution of an order of arrest.

This the 13th day of April, 2006.

[Signature]
Ronald L. Stephens
Superior Court Judge